

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Edmond E. Chang	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	12 C 5361	DATE	7/13/2012
CASE TITLE	Algierz, Inc. Vs. The Source of Apparel, Inc., et al.		

DOCKET ENTRY TEXT

Motion hearing held on the preliminary injunction motion, although the hearing did not convene (at the parties' request) until around 1:12 p.m. and did not conclude until around 2 p.m. For the reasons in the Statement, the motion for preliminary injunction is granted in part and denied in part. It is denied as to Defendants Hyo S. Kwon and Source of Apparel. It is entered, on consent, as to Defendants D&J International, Inc. and Jennifer Min. It is entered as to Defendants Hip Hop Trading LLC, Kyungsun Hwang, and Jong Sim Yim, who did not appear in Court despite having notice, as found in open court, of the hearing. As to Defendants Selah USA and Jun Kim, the TRO is extended under 5 p.m. on 07/27/12, based on the evidence of infringement and in order to give those Defendants additional time to defend against the preliminary injunction and to give the parties to finalize their settlement agreement. As to D&J International, Inc., Jennifer Min, Hip Hop Trading LLC, Kyungsun Hwang, and Jong Sim Yim, the TRO is extended until the issuance of the preliminary injunction, but no later than 5 p.m. on 07/16/12, because a draft of the preliminary injunction order is being submitted by Plaintiff this afternoon, and there is insufficient time for the Court to review and revise that draft before the TRO's expiration

■ [For further details see text below.]

Docketing to mail notices.

STATEMENT

Statement

1. For the reasons stated in open court, the Court denies both a TRO extension and the preliminary injunction as to Defendants Hyo S. Kwon and Source of Apparel. There is insufficient evidence, at this time, to find that those Defendants knew of the direct infringement, and thus they cannot be held liable for contributory infringement. During the hearing, the Court explained to Kwon that, because The Source of Apparel is a corporation, the corporation is not permitted to represent itself and must retain counsel in order to participate in the litigation. Status hearing set for 07/30/12 at 10:00 a.m., at which time Source Apparel's counsel shall appear or else Kwon shall appear personally.

2. Defendants Selah USA and Jun Kim appeared by counsel. For the reasons stated in open court, the TRO entered by Judge Pallmeyer on July 9, 2012 is extended to July 27, 2102, and will expire on July 27, 2012 at 5:50 p.m. As to defendants Selah USA and Jun Kim, the preliminary injunction hearing is continued to 07/27/12 at 11:00 a.m.

3. Defendants Hip Hop Trading LLC, Kyungsun Hwang, and Jong Sim Yim did not appear. As

STATEMENT

<p>found in open court, those Defendants had notice of this hearing. As will be further explained in a written order, the preliminary injunction will be granted as to these Defendants, but they may file a motion to dissolve the injunction upon their prompt appearance.</p>
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<p>4. Defendants D&J International, Inc. and Jennifer Min have agreed to a preliminary injunction. Plaintiff shall submit the proposed preliminary injunction, and the Court shall review, revise, and then enter the preliminary injunction.</p>
